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Remarks

Reconsideration of the application is respectfully requested. Applicant gratefully acknowledges the allowance of claims 14-19. Claims 1-20 remain pending with no new amendments except to address the claim objection.

Claim Objection:

Claim 1 was objected to as being misdescriptive as referring to a SCP in the preamble with no SCP recited in the body of the claim. Claim 1 is amended by deleting reference to an SCP in the preamble. Claims 10-13 are amended to provide proper antecedent basis for recitation of an SCP in view of the deletion of reference to an SCP in claim 1. Therefore, it is believed that the objection to the claim is overcome.

Claim Rejection - 35 U.S.C. 103:

Claims 1-13 and 20 are rejected under 35 U.S.C. §103 as being unpatentable in view of Casile (U. S. Patent No. 6,769,025) and Williams (U.S. Patent No. 6, 226, 289). Williams was first applied in the last Office Action. It is respectfully submitted that claim 1 is not rendered obvious in view of this combination.

MPEP §706.02(j) states: "To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. In re Vaack, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)."

Emphasis added.

Claim 1 defines the pass along message as including a first part of a fixed length and a second part of variable length, with the first part defining a type of message of the second part. In the Office Action, Casile was cited as teaching the concept of a pass along message between an SSP and an IP. Williams was cited for teaching the required format of a pass along message. Applicant respectfully traverses this interpretation regarding Williams.

It was acknowledged in an Office Action that Casile did not teach the pass along message as including the first part of fixed length and a second part of variable length, the first part defining a type of message of the second part. Williams was said to teach: "pass along message includes a first part of fixed length and a second part of variable length, the first part defining a message of the second part (column 6, lines 41-44)." Applicant respectfully disagrees with this interpretation of Williams. The relied upon text of Williams states:

"A message type 88 which indicates the type of ISUP message being sent and details about the call are contained in the mandatory fixed part (MFP) 90, a mandatory variable part (MVP) 92 and an optional part (OP) 94."

It is clear from column 6 of Williams that the above quoted text is referring to message signal unit (MSU) 80 as shown in FIG. 1b. It is explained that MSUs are the SS7 messages used to carry call routing information between nodes in accordance with ISUP signaling. That is, as seen in FIG. 1b, MSU 80 is the signaling protocol by which ISUP messages are directly transmitted between nodes. That is, an MSU is a data packet known within the SS7 environment as carrying an ISUP message. As such, the MSU and its corresponding ISUP message do not comprise a "pass along message", i.e. the ISUP message is a native or actionable message contained in a MSU and not a message representing an operation that cannot be acted upon by nodes only based on knowledge of MSU/ISUP messages. With regard to the requirements of claim 1, the MSU/ISUP described in Williams is no different from a packet in a general packet network in which the packet network understands and directly acts upon the normal contents of the packet. Thus, Williams is not descriptive or suggestive of a "pass along message" as required in accordance with claim 1. Therefore, Williams does not provide the teaching or suggestion

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attributed to it with regard to defining the specific pass along message as defined in claim 1. Since Casile was acknowledged in the Office Action as not providing this teaching, neither of the applied references provides the required support for this limitation, and hence the rejection of claim 1 should be withdrawn.

Claim 20 further defines claim 1 as determining at the IP if an INAP operation is requested based on the first part of the pass along message. The INAP operation to be taken is processed at the IP based on the second part of the pass along message. In the Office Action, Casile at column 4, lines 36-39, is alleged to teach "in response to INAP operation inside said pass along message, performing the INAP operation by the IP. Applicant respectfully traverses an interpretation of Casile that teaches or suggests that a determination must be made of whether the INAP operation is to be implemented. Casile at column 4, lines 36-39 (the relied upon text) reads:

"The AA line in the IP component illustrates the implementation of the preferred embodiment of the invention as an interface use by the SLP to take advantage of INAP services"

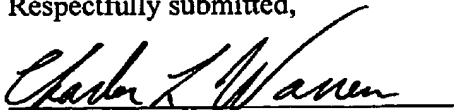
There appears to be no teaching or suggestion in Casile of determining if an INAP operation is requested based on the first part of the pass along message. Casile teaches that a contained INAP operation is recognized and processed by the receiving node, i.e. without first determining whether the INAP operation should be processed based on first part of the pass along message. Hence, Casile does not provide a teaching or suggestion of the required limitation of claim 20. The Office Action placed no reliance on Williams with regard to such a requirement. Hence, the subject matter of claim 20 is not taught by either of the applied references, and thus is not rendered obvious.

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In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicants' attorney.

Respectfully submitted,



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